

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DOCKET NO: 05-CR-10204-GAO

UNITED STATES OF AMERICA)
)
)
v.)
)
PAUL HICKS)
)

MOTION TO WITHDRAW AS COUNSEL

Now comes the Defendant's Trial Counsel, Joseph F. Krowski, Jr., Esquire, and moves the court to withdraw his appearance from any further proceedings in this matter including appeal.

As reasons therefor, Joseph F. Krowski, Jr., Esquire, hereby states and deposes the following under oath:

1. Mr. Hicks has been incarcerated during the entirety of this matter. He is completely indigent and without funds.
2. On May 29, 2007, Mr. Hicks received a three hundred sixty (360) month sentence upon conviction in this matter after jury trial on October 16, 2006.
3. Mr. Hicks is unable to pay a significant portion of the remaining legal fee owed in this case.
4. I am a solo practitioner with a significant case load. I do not have the necessary time or financial resources to litigate the appeal.
5. Both Mr. Hicks and the interest of justice would benefit from appellate counsel other than myself. Fresh appellate counsel would objectively review the trial transcripts for appellate issues including my performance as trial counsel.

WHEREFORE, Joseph F. Krowski, Jr., Esquire, moves that his appearance be withdrawn and that the court appoint Mr. Hicks a Criminal Justice Act List appellate attorney.

/s/ Joseph F. Krowski, Jr., Esquire
JOSEPH F. KROWSKI, JR., ESQUIRE
30 Cottage Street
Brockton, MA 02301
(508) 584-2555
BBO: 640902

Dated: June 15, 2007
m:cri\hicks.mtn.withdraw

CERTIFICATE OF SERVICE

I, Joseph F. Krowski, Jr., Esquire, hereby certify that I have this 15th day of June, 2007, served a copy of the Motion to Withdraw as Counsel on Jonathan F. Mitchell, AUSA, by means of the Official Court Document Electronic Filing system.

/s/ Joseph F. Krowski, Jr., Esquire
JOSEPH F. KROWSKI, JR., ESQUIRE